

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN**

<b>MIDWEST PILOTS MERGER</b>	)	
<b>COMMITTEE, <i>et al.</i>,</b>	)	
<b><i>Plaintiffs,</i></b>	)	
<b>v.</b>	)	
	)	<b>Civil Action No. 2:14-cv-01441-RTR</b>
<b>FRONTIER AIRLINES, INC.</b>	)	
<b><i>and</i></b>	)	
<b>FRONTIER AIRLINE PILOTS</b>	)	
<b>ASSOCIATION,</b>	)	
<b><i>Defendants.</i></b>	)	
_____	)	

**MOTION TO DISMISS COUNT I AND TO  
STAY COUNT II OF THE COMPLAINT**

Plaintiffs Midwest Pilots Merger Committee (MPMC), *et al.*, and defendants Frontier Airlines, Inc. and the Frontier Airline Pilots Association (FAPA) have entered into a Settlement Agreement by which they have agreed to submit to arbitration before Arbitrator Dana E. Eischen claims that plaintiffs sought to have arbitrated under Count I of their complaint. Plaintiffs have also agreed with defendants that a resolution of those claims might have an impact on Count II of the complaint. Accordingly, plaintiff MPMC withdraws its Motion for Partial Summary Judgment as moot, and by this motion, plaintiffs request pursuant to Rule 41(a)(2), Fed. R. Civ. P., that Count I of their complaint be dismissed with prejudice. Defendants do not oppose this dismissal. Plaintiffs further request that this Court stay Count II of their complaint until after Arbitrator Eischen rules on the disputes placed before him by the agreement submitting to arbitration the claims at issue in Count I. Defendants join in this motion to stay.

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